

Applicants: COMELLI *et al.*  
Serial No.: 10/030,061  
Filing Date: January 4, 2002  
Amendment and Reply to Nonfinal Office Action  
October 1, 2004  
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### **REMARKS**

Claims 1-27 are pending in this application. Applicant herein amends claim 1, 10, 16, 17, 19, and 24 in accordance with the Examiner's suggestions. Claim 13 has been amended to correct a typographical error. The amendments add no new matter. Entry of the amendments is respectfully requested.

### **Allowable Subject Matter**

The Examiner indicated that claims 1-27 would be allowable upon (1) overcoming the rejections under 35 U.S.C. § 112, second paragraph, and (2) excluding this subject matter from claims 10, 13, and 24.

Applicants have amended claims 13 and 24 to exclude this subject matter. Applicants submit that claim 10 as currently pending does not include this subject matter. Applicants submit that the amendments to claims 13 and 24 are now in compliance with the election requirement.

### **Rejections Under 35 U.S.C. § 112, Second Paragraph**

The Examiner rejected claims 1-12 as allegedly indefinite, asserting that the phrase "may be" in the R<sub>1</sub> definition is indefinite. The Examiner also suggested that the phrase "the radical or a ..." in claim 1 should read "the radical of a ..." The Examiner suggested that the medicament language in claim 16 and drug language in claim 17 should preferably read as pharmaceutical compositions. The Examiner requested that carriers should be recited in composition claims 16, 17, and 19.

Applicants submit that the claims as written are clear to a person of ordinary skill in the art. However, Applicants have amended the claims in accordance with the Examiner's suggestions in order to expedite allowance. Claim 1 has been amended to

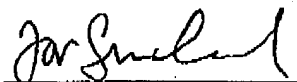
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read "the radical of a ..." Claims 16 and 17 have been amended to remove the terms "medicament" and "drug," respectively, and to recite the phrase "pharmaceutical composition." Claim 16 has been amended to include a pharmaceutically acceptable carrier. Claim 17 has not been so amended, because Claim 17 includes each limitation of Claim 16, on which it depends. Claim 19 has been included to include a cosmetically acceptable carrier. Applicants submit that the claim amendments overcome the Examiner's rejections, and that the claims are now in condition for allowance.

No fee is believed to be due with respect to the filing of this Amendment and Reply. If any additional fees are due, or an overpayment has been made, please charge, or credit, our Deposit Account No. 11-0171 for such sum.

If the Examiner has any questions regarding the present application, the Examiner is cordially invited to contact Applicant's attorney at the telephone number provided below.

Respectfully submitted,



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